

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JANE DOE,

Plaintiff,

v.

SALESFORCE.COM INC ET AL,

Defendants.

CASE NO. 2:24-cv-00435-TL

ORDER ON MOTION FOR
RECONSIDERATION

This matter is before the Court on Defendants' G6 Hospitality, L.L.C.; G6 Hospitality IP, L.L.C.; G6 Hospitality Property, L.L.C.; G6 Hospitality Purchasing, L.L.C.; and G6 Hospitality Franchising, L.L.C. Motel 6, Inc., Operating, L.P. (collectively "G6 Defendants") Motion for Reconsideration of the Court's Order on Motion to Proceed Under Pseudonym and for Protective Order (Dkt. No. 85). Dkt. No. 89.

"Motions for reconsideration are disfavored." LCR 7(h)(1). Such motions are ordinarily denied absent "a showing of manifest error in the prior ruling or a showing of new facts or legal

1 authority which could not have been brought to [the Court's] attention earlier with reasonable
 2 diligence." *Id.* Motions for reconsideration should be granted only in "highly unusual
 3 circumstances." *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d 873, 880
 4 (9th Cir. 2009) (quoting *389 Orange St. Partners v. Arnold*, 179 F.3d 656, 665 (9th Cir. 1999));
 5 *see also Inventist, Inc. v. Ninebot Inc.*, 664 F. Supp. 3d 1211, 1215 (W.D. Wash. 2023) (noting
 6 reconsideration is an "extraordinary remedy," and the moving party bears a "heavy burden"). "A
 7 motion for reconsideration 'may *not* be used to raise arguments or present evidence for the first
 8 time when they could reasonably have been raised earlier in the litigation.'" *Id.* (emphasis in
 9 original) (quoting *Kona Enters., Inc. v. Est. of Bishop*, 229 F.3d 877, 890 (9th Cir. 2000)).
 10 "Whether or not to grant reconsideration is committed to the sound discretion of the court."
 11 *Navajo Nation v. Confederated Tribes & Bands of the Yakima Indian Nation*, 331 F.3d 1041,
 12 1046 (9th Cir. 2003) (citing *Kona Enters. Inc.*, 229 F.3d at 883).

13 G6 Defendants seek reconsideration of the Court's inclusion of the following language in
 14 the Protective Order: "Defendants shall provide a written explanation of measures that will be
 15 taken to protect Plaintiff from Plaintiff's alleged trafficker(s) after disclosure." Dkt. No. 89 at 2;
 16 *see also* Dkt. No. 85 at 12.

17 The focus of the Parties' briefing on the underlying motion was the disclosure of
 18 Plaintiff's identity and overbreadth of her proposed order. *See generally* Dkt. Nos. 55-1, 63, 64,
 19 65, 67, 70, 71. The Court focused on the same in its order. *See generally* Dkt. No. 85. The import
 20 of the sentence at issue was not considered fully by the Court until G6 Defendants brought the
 21 instant motion. The Court FINDS that G6 Defendants have made a showing of manifest error and
 22 that reconsideration is appropriate.

23 As the Court explained in its Order on Motion to Proceed Under Pseudonym and for
 24 Protective Order, Plaintiff's legitimate safety concerns support the imposition of restrictions on

1 Defendants' contact with her traffickers and on Defendants' ability to disclose Plaintiff's identity
2 to them. *See* Dkt. No. 85 at 10–11. The Court therefore imposed a number of protections for
3 Plaintiff, including restricting the identifying information that may be provided to Plaintiff's
4 traffickers to only Plaintiff's name(s) or photograph, limiting Defendants' contact with Plaintiff's
5 traffickers to instances where the Court has evaluated the necessity of such contact and
6 determined that it is relevant and proportional, and advance notice to Plaintiff in the case that
7 Defendants do contact her traffickers. *Id.* at 12–13. The Court notes that the case cited by
8 Plaintiff for the requested language, *E.S. v. Best W. Int'l, Inc.*, No. 3:20-CV-00050-M, 2021 WL
9 37458, at *3 (N.D. Tex. Jan. 4, 2021), does *not* include the requested sentence. Therefore, in line
10 with other courts granting protective orders in similar situations, the Court declines to create an
11 affirmative obligation for Defendants to do anything further than what is detailed in the
12 Protective Order. Should Plaintiff desire specific additional protections from Defendants, she
13 may file a motion if appropriate.

14 Accordingly, the Court ORDERS as follows:

- 15 1. The Court GRANTS G6 Defendants' motion for reconsideration.
- 16 2. The Court further STRIKES the prior Protective Order (Dkt. No. 88).
- 17 3. The Court ORDERS G6 Defendants to file an amended stipulated protective order
18 within five (5) days of this Order that omits the following sentence: "Defendants
19 shall provide a written explanation of measures that will be taken to protect
20 Plaintiff from Plaintiff's alleged trafficker(s) after disclosure."

21 Dated this 21st day of October 2024.

22 
23 Tana Lin
24 United States District Judge